An abstract for the present invention is provided in a separate sheet appended to this response as requested.

IN THE CLAIMS:

Please amend the claims below as follows. In accordance with 37 C.F.R. § 1.21(c)(1), a marked-up version of the claims is set forth at the end of this response under the heading "Marked-up Version of the Claims."

1. (Twice amended) A purified nucleotide sequence comprising:

a) at least a part of SEQ ID NO. 3, or

b) a sequence which has at least 80% homology with a),

D2 wherein said purified nucleotide sequence is capable of expressing a second nucleotide sequence to which it is operably linked.

2. (Twice amended) A purified nucleotide sequence according to claim 1, comprising:

a) a nucleotide sequence comprising nucleotides 1 to 2111 of SEQ ID NO. 3, or

b) a nucleotide sequence which has at least 80% homology with a) or

c) a nucleotide sequence which is a fragment of a) or b),

wherein said purified nucleotide sequence is capable of expressing a second nucleotide sequence to which it is operably linked.

8. (Amended) A method for producing a plant with gametophytic male sterility with inducible fertility, comprising inserting into one or more plant cells a gene present in a construct, wherein the expression product of said gene is cytotoxic to a microspore; and producing a plant therefrom which does not produce a male gamete.

D3

9. (Amended) A method according to Claim 8, wherein said gene is inserted into a vector which comprises a nucleotide sequence, wherein said nucleotide sequence

comprises (i) the sequence which stretches from nucleotide 1 to nucleotide 2111 of SEQ ID No. 3, or (ii) a sequence which hybridizes to the sequence according to (i), or (iii) a sequence which has at least 80% homology with (i) or (ii), or a sequence which is a fragment of (i), wherein said sequence is upstream of a DNA sequence encoding a cytotoxic product; and further comprising inhibiting the cytotoxicity of the gene product, thereby inducing the fertility of the plant; self-fertilizing the fertile plant; and selecting any plants which do not produce male gametes.

D3 cancelled

12. (Twice amended) A plant according to claim 7, wherein said plant belongs to the *Brassicaceae* family.

D4

13. (Once amended) The method according to claim 9, further comprising multiplying the plants which do not produce male gametes.

D5

14. (Amended) A seed derived from the plant obtained by the method according to claim 8, wherein said seed comprises said construct.

16. (Amended) A plant obtained by the method of claim 8, wherein said plant belongs to the *Brassicaceae* family.

D6